

Refiled Per Court Order

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

---

MIRIAM EDWARDS, Individually and On  
Behalf of All Others Similarly Situated,

Plaintiff,

v.

MCDERMOTT INTERNATIONAL, INC.,  
DAVID DICKSON, STUART SPENCE,

Defendants,

---

: **Case No. 4:18-cv-4330**  
:  
: **(Consolidated)**  
:  
: **§10(B) PLAINTIFFS' NOTICE**  
: **OF MOTION FOR CLASS**  
: **CERTIFICATION AND**  
: **APPOINTMENT OF §10(B)**  
: **CLASS REPRESENTATIVES**  
: **AND §10(B) CLASS COUNSEL**  
:  
: **ORAL ARGUMENT**  
: **REQUESTED**  
:  
:  
:

TO: ALL PARTIES AND THEIR COUNSEL OF RECORD, PLEASE TAKE NOTICE that the §10(b) Lead Plaintiff Nova Scotia Health Employees' Pension Plan ("NSHEPP" or "§10(b) Lead Plaintiff") and additional Plaintiff City of Pontiac General Employees' Retirement System ("Pontiac") (together, "§10(b) Plaintiffs") will move, through their undersigned attorneys, pursuant to Fed. R. C. P. 23, for an Order:

1. Certifying a "§10(b) Class" consisting of all persons and entities who purchased or otherwise acquired common stock of McDermott International, Inc. (NYSE: MDR) between December 18, 2017, and January 23, 2020, both dates inclusive, seeking to pursue remedies against McDermott and certain of its officers and/or directors named as Defendants in the §10(b) action for violations of the federal securities laws under Exchange Act §§10(b) and 20(a) and SEC Rule 10b-5. Excluded from the §10(b) Class

are Defendants, the officers and directors of McDermott and Chicago Bridge & Company, N.V. at all relevant times, members of their immediate families and their legal representatives, heirs, successors or assigns, and any entity in which Defendants, McDermott, or CB&I have or had a controlling interest.

2. Appointing §10(b) Plaintiffs as Class Representatives; and

3. Appointing Pomerantz LLP as §10(b) Lead Class Counsel, Robbins Geller Rudman & Dowd LLP as additional §10(b) Class Counsel, and the Briscoe Law Firm as §10(b) Liaison Counsel.

PLEASE TAKE FURTHER NOTICE that filed herewith in support of this application are a supporting memorandum of law and the declaration of Matthew L. Tuccillo, Esq. with accompanying exhibits.

PLEASE TAKE FURTHER NOTICE that oral argument is requested.

PLEASE TAKE FURTHER NOTICE of the proposed Order submitted herewith.

Dated: September 29, 2021

Respectfully submitted,

**POMERANTZ LLP**

/s/Matthew L. Tuccillo

Matthew L. Tuccillo

(S.D. Tex. Federal Bar # 1467939)

Jeremy A. Lieberman

(S.D. Tex. Federal Bar # 1466757)

Jennifer Banner Sobers

(Admitted Pro Hac Vice)

600 Third Avenue, 20th Floor

New York, NY 10016

Telephone: (212) 661-1100

Facsimile: (212) 661-8665

Email: [jalieberman@pomlaw.com](mailto:jalieberman@pomlaw.com)

Email: mltuccillo@pomlaw.com

Email: jbsobers@pomlaw.com

*Counsel for §10(b) Lead Plaintiff Nova Scotia Health Employees' Pension Plan and Lead §10(b) Class Counsel*

**ROBBINS GELLER RUDMAN & DOWD LLP**

/s/ Eric I. Niehaus

Eric I. Niehaus (*Pending Pro Hac Vice*)  
Arthur C. Leahy (*Pending Pro Hac Vice*)  
655 West Broadway, Suite 1900  
San Diego, CA 92101  
Telephone: (619) 231-1058  
Facsimile: (619) 231-7423  
Email: artl@rgrdlaw.com  
Email: ericn@rgrdlaw.com

*Counsel for Additional Plaintiff City of Pontiac General Employees' Retirement System*

**THE BRISCOE LAW FIRM, PLLC**

/s/Willie C. Briscoe

Willie C. Briscoe  
Texas Bar No.: 24001788  
Southern District No.: 25157  
1980 Park Oak Blvd.  
Houston, TX 77056  
Telephone: 713-752-2600  
Facsimile: 832-201-9950  
wbriscoe@thebriscoelawfirm.com

*Attorney-In-Charge, Additional Counsel for §10(b) Lead Plaintiff Nova Scotia Health Employees' Pension Plan, and §10(b) Liaison Counsel for the §10(b) Class*

**CERTIFICATE OF CONFERENCE**

This is to certify that during the Fed. R. Civ. P. 26(f) teleconference, first held on April 28, 2021, and continued thereafter, the undersigned counsel, Court-appointed §10(b) Lead Counsel, contacted counsel for the plaintiffs in the Related Action to seek their consent to the relief sought by this Motion, which consent was not obtained, as set forth in writing in Defendants' sections of the Fed. R. Civ. P. 26(f) report (Dkt. No. 179), including Items 3 and 8 therein.

/s/ Matthew L. Tuccillo  
Matthew L. Tuccillo

**CERTIFICATE OF SERVICE**

I hereby certify that on this 29th day of September 2021, a true and correct copy of the foregoing was filed electronically and served by mail on anyone unable to accept electronic filing. Notice of this filing will be sent by e-mail to all parties by operation of the Court's electronic filing system or by mail to anyone unable to accept electronic filing, as indicated on the Notice of Electronic Filing. Parties may access this filing through the Court's CM/ECF System.

/s/ Matthew L. Tuccillo, Esq.  
Matthew L. Tuccillo, Esq.